

Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently amended) A method implemented in a computer program application for updating software on a programmable device, the method comprising: providing two way communication between a server and the programmable device; configuring an updating process that executes on the server; updating the programmable device in accordance with the updating process; testing the operation of at least a portion of the updated software on the programmable device after upgrading and prior to restarting the programmable device.
2. (Original) The method of claim 1 further comprising backing up at least a portion of the pre-existing software on the programmable device, and based upon the testing, restoring the backed portion of the software on the programmable device.
3. (Original) The method of claim 2 wherein the backing up occurs on the programmable device.
4. (Original) The method of claim 2 wherein the backing up occurs at the server.
5. (Original) The method of claim 1 wherein the communications is over the Internet.

6. (Currently amended) The method of claim 1 further comprising the server signaling the programmable device to shut down and restart ready to receive instructions from the local automatic upgrade process prior to the backing up action.

7. (Original) The method of claim 6 wherein there is a user definable delay between the signaling and the shutting down.

8. (Currently amended) The method of claim 2 further comprising:  
sending a signal to a user, based upon an outcome of the testing.

9. (Original) A system for updating software on a programmable device comprising:  
a server;  
a programmable device able to be in two way communication with the server;  
the server comprising computer software comprising instructions to cause the server to  
configure an update process;  
update software on the programmable device in accordance with the update process;  
test the operation of at least a portion of the updated software on the programmable device.

10. (Original) The system of claim 9 wherein the computer software further comprises instructions to  
back up at least a portion of the software on the programmable device;  
based upon the testing, restore at least a portion of the backed up software onto the programmable device.

11. (Original) The system of claim 10 wherein the back up occurs at the server.

12. (Original) The system of claim 9 wherein the communication is over the Internet.

13. (Currently amended) The system of claim 9 wherein the computer software further comprises instructions to cause the server to signal the programmable device to shut down and restart ready to receive instructions from the local automatic upgrade process prior to the back up.

14. (Original) The system of claim 9 wherein a user definable delay between the signaling and the shutting down is provided.

15. (Original) A computer program product, tangibly stored on a computer-readable medium, for updating software on a programmable device, comprising instructions operable to cause a programmable processor to:

    configure an update process;  
    communicate with the programmable device over a two way communications medium;  
    backup at least a portion of the software on the programmable device;  
    update software on the programmable device in accordance with the update process;  
    test the operation of at least a portion of the updated software on the programmable device.

16. (Original) The product of claim 15 further comprising computer software comprising instructions to cause the server to restore at least a portion of the backed up software on the programmable device based upon the testing.

17. (Original) The product of claim 16 wherein back up occurs on the programmable device.

18. (Original) The product of claim 16 wherein the backing up occurs at the server.

19. (Original) The product of claim 15 wherein the communication is over the Internet.

20. (Currently amended) The product of claim 15 further comprising instructions operable to cause a programmable processor to cause the server to signal the programmable device to shut down and restart ready to receive instructions from the local automatic upgrade process prior to the backing up step.

21. (Original) The product of claim 20 wherein there is a user definable delay between the signaling and the shutting down.

22. (Currently amended) The product~~method~~ of claim 15 further comprising instructions to:

send a signal to a user based upon a testing outcome.

23. (New) The method of claim 1 wherein the programmable device restarts running the updated software if the programmable device passes the testing.

24. (New) The system of claim 9 wherein the programmable device restarts running the updated software if the programmable device passes the testing.

25. (New) The product of claim 15 wherein the programmable device restarts running the updated software if the programmable device passes the testing.